



Driving progress
through partnership

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December 11, 2024

Via ECF

Honorable John P. Mastando
United States Bankruptcy Court
Southern District of New York
One Bowling Green
New York, New York 10004

Re: *In re Eletson Holdings, Inc., et al.*, Bankr. S.D.N.Y. 1:23-bk-10322 (JPM)

Dear Judge Mastando:

We write on behalf of Respondent Reed Smith LLP in connection with the hearing on the Motion for contempt sanctions (Dkt. 1268) scheduled to be heard by Your Honor on Monday, December 16, 2024, at 10:00 a.m. (Dkt. 1277). Assuming the Motion was properly noticed as a “contested matter”, the setting next Monday is the “first scheduled hearing in a contested matter” (Bank. R. 9014-2). It is our understanding, as the Rule provides, that that hearing “will not be an evidentiary hearing at which witnesses may testify” (*see* R. 9014-2, there being no exception applicable), particularly given that there was no prior notice of an evidentiary hearing. We sought to confirm our understanding with counsel for Movant a short while ago. They appear to have a different understanding.

Both Movant and Reed Smith have submitted declarations on the Motion, including from witnesses residing in Liberia and Greece. Nonetheless, we believe the Court can deny the Motion without the need for the cross-examination of witnesses. There is insufficient time to prepare witnesses for cross-examination, and at least one of the declarants (Ms. Lamin-Blamo) is unavailable at 10a on Monday, since she, a member of a small law office, will be tending to the preparation, finalization, and filing of papers in Liberia in the recognition proceeding that Pach Shemen has initiated there.

Accordingly, we ask for confirmation from Your Honor that the first hearing on this matter “will not be an evidentiary hearing at which witnesses may testify”. Should the Court determine otherwise, we ask for Ms. Lamin-Blamo to be permitted to be cross-examined subsequent to December 16, at a time convenient to the Court, counsel, and the witness.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Louis M. Solomon".

Louis M. Solomon

cc. Counsel of Record

At the hearing to be held on Monday, December 16, 2024 (the "Hearing"), the Court will hear oral argument on: (i) the Emergency Motion of Reorganized Eletson Holdings Inc. for an Order Imposing Sanctions on Eletson Holdings' (A) Existing Person of Record and (B) Former Shareholders, Officers, Directors, and Counsel, Including Reed Smith LLP (Docket No. 1268), and (ii) Reorganized Holdings' Motion for an Order (I) Authorizing Adam Spears to Act as Foreign Representative of Reorganized Holdings and (II) Granting Related Relief (Docket No. 1269) (collectively, the "Motions"). The Hearing will not be an evidentiary hearing. The Court will subsequently determine whether to hold an evidentiary hearing on the Motions.

It is SO ORDERED.

Dated: New York, New York
December 12, 2024

/s/ John P. Mastando III
HONORABLE JOHN P. MASTANDO III
UNITED STATES BANKRUPTCY JUDGE